

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

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CHRISTINA AGUAYO,

Plaintiff,

v.

UNITED STATES OF AMERICA,

Defendant.

Civil Action No. 3:23-CV-539-E

**REPLY IN SUPPORT OF DEFENDANT’S MOTION TO DISMISS**

After this case was removed to federal court, the government moved to dismiss plaintiff Christina Aguayo’s then-live pleading (a first amended petition) for lack of jurisdiction. (*See* Doc. 5.) Aguayo subsequently filed a second amended complaint (Doc. 11), which is now her live pleading, and the government today will be responding to that new pleading by filing a new motion to dismiss. The government continues to believe that this action should be dismissed—for the reasons explained in its new motion to dismiss that will be filed today—but at this point it would appear that the motion to dismiss filed in response to the first amended petition is now moot given the filing of a second amended complaint.

Respectfully submitted,

LEIGHA SIMONTON  
UNITED STATES ATTORNEY

/s/ Brian W. Stoltz  
Brian W. Stoltz  
Assistant United States Attorney  
Texas Bar No. 24060668  
1100 Commerce Street, Third Floor  
Dallas, Texas 75242-1699  
Telephone: 214-659-8626  
Facsimile: 214-659-8807  
brian.stoltz@usdoj.gov

Attorneys for the United States

Certificate of Service

On April 25, 2023, I electronically submitted the foregoing document with the clerk of court for the U.S. District Court, Northern District of Texas, using the electronic case filing system of the court. I hereby certify that I have served all parties electronically or by another manner authorized by Federal Rule of Civil Procedure 5(b)(2).

/s/ Brian W. Stoltz  
Brian W. Stoltz  
Assistant United States Attorney